



SOBRIETY CHECKPOINTS

FC No.: 517

Date: 04-30-02

Contents:

- I. Policy
- II. Procedures
- III. Proponent Unit
- IV. Cancellation

I. Policy

Sobriety checkpoints in DWI enforcement will be used as a campaign for public awareness and as an effective enforcement tool. The United States Supreme Court has approved the constitutionality of DWI roadblocks, which provides the department with an additional tool for deterring alcohol/drug impaired driving. The goal of roadblocks is to identify and arrest the alcohol/drug impaired driver and to increase the public's perceived likelihood of detection if they do drink and drive. Sobriety checkpoints are authorized only under the guidelines outlined in this directive. (CALEA 61.1.1, 61.1.10, 61.3.4)

II. Procedures

A. Authorization

The Director, ***Tactical Operations Division (TOD)***, or ***designee***, will authorize sobriety checkpoints in writing.

B. Forms

The sergeant, Alcohol Initiatives Unit (AIU), will issue all necessary forms to the officer supervising the checkpoint.

C. Location

The checkpoint location will be selected on the basis of data relating to alcohol-involved collisions and arrests. Safety is a primary consideration in the selection of checkpoint sites. Sobriety checkpoints will be established on roads that can support a manageable amount of traffic and provide drivers with a sufficient distance to safely stop their vehicles.

- D. Sobriety checkpoints will not be held during rain, snow, or other inclement weather.

- E. An Alcohol Enforcement Specialist (AES) sergeant or above will ensure that the roadblock is supervised and manned with a sufficient number of officers wearing appropriate equipment, i.e., helmets/hats, reflectorized vests, and traffic wands attached to flashlights. The minimum number of officers recommended to operate a roadblock will be three officers and a designated supervisor.
- F. When feasible, a drug recognition expert should be assigned to the sobriety checkpoint.
- G. The checkpoint supervisor is responsible for completing the sobriety checkpoint briefing information outlining the policies and procedures associated with administering a checkpoint.
- H. Several 20-square-foot warning signs marked "Stop Ahead, Sobriety Checkpoint" will be erected to alert drivers of the upcoming checkpoint. The signs must be placed 200 to 300 feet in front of each checkpoint in order to allow the driver an alternate route or to safely negotiate a U-turn, thereby avoiding any delay or infringement of individual rights. An officer, intern, or volunteer assigned to the detail will monitor the warning signs throughout the roadblock operation.
- I. The department's sobriety checkpoint trailer, which contains equipment needed to implement a sobriety checkpoint, will be utilized for all checkpoints. The department's Law Enforcement Apprentice Program (LEAP) intern coordinator will be responsible for assigning police interns to assemble and disassemble the checkpoint.
- J. The checkpoint will be sufficiently illuminated with flares. Adequate channelization will clearly guide traffic to an appropriate stopping point.
- K. All vehicles entering the checkpoint will be counted and stopped, and no driver will be singled out arbitrarily. Officers will conduct a brief, courteous conversation to assess the

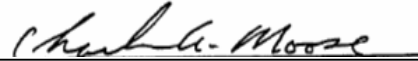
driver's sobriety. The conversation should take no more than 30 seconds and will be done without any perception of harassment, threat, annoyance, or fear.

- L. When observing signs of possible impairment, the driver will be instructed to move into the assigned pull-off area and an investigation will be conducted. An intern will record the driver's information in the pullover log. Officers will conduct the roadside sobriety tests to determine the level of impairment. A preliminary breath test will be offered to all drivers. The department's zero-tolerance policy will be enforced.
- M. The checkpoint will be operational during the hours authorized by the Director, **TOD**, or until:
1. Traffic becomes congested, at which time the traffic will be allowed to flow until the congestion clears up, or
 2. The weather becomes inclement, at which time the checkpoint will be suspended or terminated.
- N. ***The roadblock supervisor will notify ECC upon the initiation and completion of the checkpoint.***
- O. A driver who refuses to roll down the window will be allowed to proceed without conversation. However, if signs of possible impairment are observed, the vehicle should be followed, and if reasonable suspicion develops, a traffic stop made.
- P. The Media Services Division will be notified of all sobriety checkpoints and is responsible for developing a media advisory and coordinating the release of information to members of the media. No other disclosures concerning checkpoint sites will be made until the sites become operational.
- Q. Upon completion of the checkpoint, the supervisor will submit an MCP 565, "DWI Checkpoint Report," to the **Assistant** Chief, FSB, **via the Assistant Chief, ISB, and the Director, TOD.**
- R. ***A copy of the MCP 565 will be faxed to the Media Services Division as soon as the checkpoint is completed.***

III. **Proponent Unit:** Alcohol Initiatives ***Unit, Investigative Services Bureau***

IV. **Cancellation**

This directive cancels Function Code 514.C, effective date of 07-12-99.



Charles A. Moose, Ph.D.
Chief of Police